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RULES OF PROCEDURE OF THE DELHI LEGISLATIVE ASSEMBLY

(Made in pursuance of sub-section (2) of section 32 of the Government of Part C States Act, 1951.)

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RULES OF PROCEDURE OF THE DELHI LEGISLATIVE ASSEMBLY**CHAPTER I—SHORT TITLE AND DEFINITIONS**

1. Short Title.—These rules, may be called “The Rules of Procedure of the Delhi Legislative Assembly.”

2. Definitions.—(1) In these rules, unless the context otherwise requires—

- ‘Act’ means the Government of Part C States Act, 1951;
- ‘Assembly’ means the Legislative Assembly of Delhi;
- ‘Committee’ means any committee appointed by the House or by the Speaker for any specific or general purpose;
- ‘Constitution’ means the Constitution of India;
- ‘Deputy Speaker’ means the Deputy Speaker of the Assembly;
- ‘Division’ means taking of votes by sending the members to lobbies or by adopting such other method under which lists of members voting on either side are provided;
- ‘Finance Minister’ means the Minister performing the functions, under these Rules, assigned to the Finance Minister, and may include any other Minister duly authorized in that behalf;
- ‘Government’ means the Government of Delhi;
- ‘Chief Commissioner’ means the Chief Commissioner of Delhi;
- ‘House’ means a House of the Delhi Legislature;
- ‘Legislature’ means the Legislature of Delhi under the Act.
- ‘Member’ means a member of the Assembly;
- ‘Member-in-charge of the Bill’ means in the case of a Government Bill any Minister, and in any other case the member who has introduced the Bill or a member authorised in writing his such member to act in his behalf;
- ‘Member in charge’ in the case of a resolution or motion means the member who has moved or made such resolution or motion;
- ‘Minister’ means a member of the Council of Ministers and includes any member of the Assembly to whom such Minister may delegate any function assigned to him under these Rules;
- ‘Motion’ means a proposal made by a member for the consideration of the Assembly and includes a Resolution and an amendment to a Motion;
- ‘Naming a Member’ means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;
- ‘Parliamentary Secretary’ means a member holding the office of Parliamentary Secretary under the Delhi Government;
- ‘Private Member’ means a member other than a Minister, Speaker or a Parliamentary Secretary;
- ‘Prorogue’ and its derivative ‘prorogation’ mean the ending of a session by an order of the Chief Commissioner under sub-section (2) (a) of Section 9 of the Act;
- ‘Resolution’ means a motion for the purpose of discussing a matter of general public interest;
- ‘Secretary’ means the Secretary to the Assembly and includes any person, performing for the time being, the duties of the Secretary;
- ‘Select Committee’ means a Committee of Members to which a Bill is referred by the Assembly for consideration after it has been introduced;
- ‘Session’ means the period from the time the Assembly meets at the summons of the Chief Commissioner to the time when it is prorogued by the Chief Commissioner;
- ‘Speaker’ means the Speaker of the Assembly.

(2) Words and expressions used in the Constitution and the Act and not defined above shall, in these Rules, unless the context otherwise requires, have the meanings assigned to them in the Constitution and the Act.

CHAPTER II—COMMENCEMENT OF THE ASSEMBLY SESSION

3. Summoning of the Assembly.—(1) When the Assembly is summoned to meet under sub-section (2) of section 9 of the Act, the Secretary shall intimate to each member the time and place of the meeting Sect. 9 (2)

(2) The summons under sub-rule (1) shall ordinarily be issued fourteen days before the date so fixed.

4. Appointment of Chairman by the Chief Commissioner.—At the beginning of a new Assembly, and if at any other time the office of Speaker is vacant and there is no person authorised and able to preside over the Assembly. The Chief Commissioner may appoint from amongst its members a Chairman to preside at the meeting of the Assembly until a Speaker has been duly elected.

CHAPTER III—SPEAKER AND DEPUTY SPEAKER AND PANEL OF PRESIDING MEMBERS

5. Election of Speaker.—(1) When at the beginning of a new Assembly or owing to a vacancy in the office of Speaker, the election of a Speaker is necessary, the Chief Commissioner shall fix a date for the holding of the election, and the Secretary shall send to every member notice of the date so fixed: Sec. 10

Provided that the date so fixed shall be within seven days (i) of the occurrence of the vacancy if the Assembly is sitting or (ii) of the next meeting of the Assembly if it is not sitting at the time the vacancy occurs.

(2) At any time before noon on the day preceding the date so fixed, any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating—

(a) the name of the member nominated, and

(b) that the proposer has ascertained that such member is willing to serve as Speaker, if elected.

(3) On the date fixed for election, in the case of a new Assembly, the member appointed by the Chief Commissioner and in any other case the Deputy Speaker or the member presiding, as the case may be, shall read out to the Assembly the names of the members who have been duly nominated together with those of their proposers and seconders, and, if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Assembly shall proceed to elect a Speaker by ballot.

(4) For the purpose of sub-rule (3) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the reading out of names under that sub-rule, made the oath or affirmation as member of the Assembly.

(5) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and fresh ballots shall take place, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(6) Where at any ballot any two or more candidates obtain an equal number of votes, the candidate to be excluded from the election under sub-rule (5) shall be determined by drawing lots.

Sec. 10

6. Election of Deputy Speaker.—(1) The election of a Deputy Speaker shall be held on such date as the Speaker may fix and the Secretary shall send to every member notice of this date:

Provided that the date so fixed shall be within seven days (i) of the occurrence of the vacancy if the Assembly is sitting; or (ii) of the next meeting of the Assembly if it is not sitting at that time.

(2) At any time before noon on the day preceding the date so fixed any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating—

(a) the name of the member nominated, and

(b) that the proposer has ascertained that such member is willing to serve as Deputy Speaker, if elected.

(3) For the purposes of sub-rule (2) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the reading out of names under that sub-rule, made the oath or affirmation as member of the Assembly.

(4) If only one member has been proposed for election the Speaker shall read out his name together with the names of his proposer and seconder, and shall declare him to be duly elected. If more than one member has been proposed, the Speaker shall read out their names together with the names of their proposers and seconders, and the Assembly shall then proceed to elect a Deputy Speaker by ballot in accordance with rules laid down for the election of a Speaker (vide Rule 5).

(5) If a vacancy in the office of the Deputy Speaker occurs during the life of an Assembly, a fresh election shall be held in accordance with the procedure hereinbefore mentioned.

Sec. 10 (4)

7. Panel of Presiding Members.—(1) As soon as may be after the commencement of every session the Speaker shall nominate from amongst the members of the Assembly a panel of not more than four members, any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker, when so requested by the Speaker, or, in his absence, by the Deputy-Speaker.

(2) A presiding Member nominated under sub-rule (1) shall hold office until the end of the session.

Sec. 10 (3)

8. Powers of Deputy Speaker and Presiding Member.—The Deputy Speaker and any member of the Assembly, when presiding over the Assembly shall have the same powers as the Speaker when so presiding; and all references to the Speaker in these Rules shall be deemed to be references to the member so presiding.

9. Delegation of Powers to Deputy Speaker.—The Speaker may by order in writing delegate to the Deputy Speaker all or any of his powers and may revoke any such delegation.

CHAPTER IV—MEETINGS OF ASSEMBLY

10. Sittings of Assembly.—(1) After the commencement of a session, the Assembly shall sit on such days as the Speaker having regard to the state of business of the Assembly may from time to time determine.

(2) The members shall sit in such order as the Speaker may determine.

11. Hours of Meeting.—(1) The Assembly shall meet from 11 A.M. to 5.00 P.M. with a break from 1.15 to 2.15 P.M.; Provided that in special circumstances, the House may by motion extend the duration of a sitting.

(2) There will be no meetings on Saturdays, Sundays and other public holidays.

12. Quorum.—The quorum to constitute a meeting of the Assembly shall, as provided under sub-section (4) of Section 15 of the Act, be sixteen members of the House. Sec. 15 (4)

13. Adjournment of Meetings.—The Speaker may adjourn a meeting of the Assembly either on his own motion or on a resolution of the House in that behalf;

Provided that, if the House is adjourned *sine die*, ordinarily ten days notice shall be given to members of the date on which the Assembly re-assembles.

CHAPTER V—CHIEF COMMISSIONER'S ADDRESS AND MESSAGE TO TO ASSEMBLY

14. Chief Commissioner's Address under Section 12 of the Act.—There shall be no discussion on the Address of the Chief Commissioner made under Section 12 of the Act;

Provided that the contents of the Address may be referred to in any debate in the Assembly.

15. Message of the Chief Commissioner.—Where a message under Section 12 of the Act from the Chief Commissioner to the Assembly is received by the Speaker, he shall read the message to the House and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the Rules to such extent as may be necessary.

CHAPTER VI—ARRANGEMENT OF BUSINESS

16. List of Business.—(1) A list of business for the day shall be prepared by the Secretary and a copy thereof shall be made available for the use of every member.

(2) Save as otherwise provided in these Rules, no business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

(3) No business requiring notice shall be set down for a day before the period of the necessary notice has expired unless otherwise directed by the Speaker.

17. Allotment of time for Private Members' business.—Unless the House decides otherwise in public interest, on the second and fourth Friday of each month, Private Members' business shall have precedence over official business.

18. Arrangement of Government Business.—(1) On days other than those allotted for Private Members' business no business except Government business shall be transacted without the consent of the Speaker. The Government may arrange the order of business in such manner as it thinks fit.

(2) On the first working day of every week when the House meets, the Leader of the House or any member authorized by him will, after questions, inform the House of the business to be performed during the week and the order in which it will be taken. If any change is considered necessary, the Government will, as far as possible, inform the House of it a day before it is made.

19. Private Members' Business Outstanding at End of Day.—Private Members' business set down for the day allotted for that class of business and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day:

Provided that any business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.

CHAPTER VII—QUESTIONS

20. Classification of Questions.—The questions will be classified as follows;

- (a) Short notice questions relating to matters of urgent public importance;
- (b) Starred questions; and
- (c) Unstarred questions.

21. Mode of Giving Notice of Questions.—(1) A member who wishes to ask a question shall, along with his request, submit a copy of the question and will, in the notice, mention the day, which must be in accordance with the days allotted by the Speaker for answering of questions by different Ministers, on which the answer is required.

(2) A member may distinguish his short notice question by placing two asterisks and starred question by placing one asterisk before the copy of the question which he submits to the Secretary. The answers to such questions shall be read out after which any member shall be entitled to put supplementary questions for the purpose of elucidating any matter of fact regarding which an oral answer has been given.

22. Notice of Questions.—(1) If a member wishes to ask a short notice question, he shall give three clear days' notice of such question which shall be forwarded to Government by the Secretary two clear days before the date fixed for its answer:

Provided that no question shall be listed as a short notice question unless the Minister concerned has agreed to answer it as a short notice question.

(2) A Member asking other questions shall give 15 clear days' notice of such questions which shall be forwarded to Government by the Secretary 7 clear days before the date fixed for the answer.

(3) A notice under this rule must be handed over before the question hour. If it is delivered later, it shall be treated as having been received on the next day.

23. Time for Questions.—Unless the Speaker, for special reasons, otherwise directs, the first hour of every meeting shall be available for the asking and answering of questions, short notice questions having precedence over others.

24. Limitation on number of Questions.—A member shall not ask more than three self-contained starred questions on a single day. The Speaker may disallow any question which asks for information on more than one subject. Questions in excess of three, if any, may be admitted as unstarred questions.

25. Allotment of days for Oral Answers to Questions.—The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such Minister or Ministers as the Speaker may, from time to time, provide, and on each such day, unless the Speaker with the consent of the Minister concerned otherwise directs, only questions relating to the Minister or Ministers for whom time on that day has been allotted shall be placed on the list of questions for oral answer. This rule will not apply to short notice questions.

26. Postponement of Question due to Absence of Minister.—In the event of the absence of the Minister concerned on account of special or unexpected circumstances, the Speaker, on request being made in that behalf, may postpone the question to any future day.

27. Questions of absent Members.—When all the questions for which an oral answer is desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may also permit a member to ask a question standing in the name of another member if so authorized by him.

28. Withdrawal or postponement of Questions.—A member may, by notice, given at any time before the meeting for which his question has been placed on the list, withdraw his question, or make a request to postpone it to a later day to be specified in the notice, and on such later day the question shall, subject to the provisions of rule 25 be placed on the list after the question tabled for that day.

29. Written Answers to Questions not replied Orally.—If a short notice or starred question included in the list of questions on any day is not answered because of the absence of the member at the time the question is called or because it could not be taken up during the hour fixed for answering questions, the written reply to such questions shall be published as a part of the proceedings of the day.

30. Subject matter of Questions.—A question must relate to a matter of administration for which the Government is responsible. Its purpose shall be the eliciting of information or suggesting action on a matter of public importance.

31. Form and Contents of Questions.—No question may be asked which does not satisfy the following conditions, namely:—

- (1) It must not bring in any name or statement not strictly necessary to make the question intelligible.
- (2) If it contains a statement by the member himself the member asking it must make himself responsible for the accuracy of the statement.
- (3) It must not contain arguments, inferences, ironical or offensive expressions or defamatory statements.
- (4) It must not ask for an expression of opinion or the solution of a hypothetical proposition.
- (5) It must not refer to the character or conduct of any person except in his official or public capacity.
- (6) It must not be of excessive length.
- (7) It shall not repeat in the same session in substance questions already answered or to which an answer has been refused.
- (8) It shall not require information set forth in accessible documents or in ordinary works of reference.
- (9) It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India.
- (10) It shall not refer to the conduct of any Judge or a Court of Law having jurisdiction in any part of India in the exercise of his or its judicial function.
- (11) It shall not make or imply a charge of a personal character.
- (12) It shall not ask for information on trivial, vague and meaningless matters.
- (13) It shall not ordinarily seek information on matters of past history.
- (14) Except when a matter of principle is involved it shall not, as far as possible, relate to individual cases.
- (15) It shall not relate to day-to-day administration of local bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relation with the Government or refer to breaches of law or rules or relate to important matters involving general welfare.
- (16) It shall not refer to debates in the current session.
- (17) It shall not criticize decisions of the Assembly.
- (18) It shall not seek information about matters, which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Chief Commissioner by Law Officers and other similar subjects.
- (19) It shall not deal with matters before a Committee appointed by the House or with matters within the jurisdiction of the Chairman of a Select Committee or the authorities of the House.

- (20) It shall not ask whether a statement in the Press or of private individuals or of a non-official body is accurate.
- (21) It shall not reflect on the character or conduct of those persons whose conduct may only be challenged on a substantive motion.
- (22) It shall not raise questions of policy too large to be dealt within the limits of an answer to a question.

32. Restrictions on Supplementary Questions.—The conditions specified in rule 31 relating to questions shall apply to supplementary questions arising out of oral answers to questions.

33. Questions to the Speaker.—Questions to the Speaker shall be made by private notice. Such questions may either be answered by a written reply or in his chamber.

34. Questions to Private Members.—A question may be addressed by a member to a private member provided the subject matter of the question relates to some Bill, Resolution or other matter connected with the business of the House for which that member is responsible and the procedure in regard to such questions shall, as far as may be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

35. Speaker to decide admissibility of Questions.—The Speaker shall decide on the admissibility of a question. He may disallow any question which in his opinion contravenes those rules or in an abuse of the right of asking questions. He may amend a question to bring it into conformity with the rules or may return a question for improvement.

36. Power of the Speaker to change Class of a Question.—The Speaker may convert a short notice question into a starred or unstarred question and a starred question into an unstarred question.

37. List of Questions for the day.—(1) Questions which have not been disallowed shall be entered in the list of questions for the day in the order of their receipt and shall be called, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting.

(2) The Secretary shall prepare a provisional list of questions fixed for a particular day and shall, a week before that date, send its copies to all members. In case the House is sitting on that day, he shall, instead of despatching copies to the members, lay them on the tables of the members.

38. Questions how put.—Questions shall be put in such manner as the Speaker may in his discretion determine.

39. Manner of answering Questions.—(1) Answers to questions shall be relevant to the subject matter of questions and shall be given in such manner as the Speaker may, in his discretion, determine. Answers may take the form of laying statements on the table of the Assembly.

(2) A question shall be replied on the date on which it is listed. If the information required by the member is not available, the Minister shall state the position accordingly, and the Speaker may then allow such further time as he may under the circumstances deem proper and fix a date for the answer.

(3) If the Minister is of opinion that the information required by a member cannot be given in public interest, he will say so. The refusal of a Minister to supply the information on this ground cannot be raised as a matter of privilege nor can a motion for adjournment of the House be brought on this ground.

(4) If the member putting the question is absent that question can only be put by another member with the leave of the Speaker and if time permits after all other starred questions scheduled for that day are answered.

40. Questions and Answers to be entered in Proceedings of the Assembly.—All questions asked and answers given shall be entered in the proceedings of the Assembly:

Provided that a question which has been disallowed may not be so entered.

41. Discussion on matters arising out of Questions and Answers.—

(1) The Speaker shall allot half an hour after the termination of a meeting of the Assembly on one day in a week, for raising discussion on a matter of sufficient public importance which has been the subject of a question and answer in the House:

Provided unless the Speaker directs otherwise, the allotment shall ordinarily be made for a Friday.

(2) A member wishing to raise such a matter shall give notice in writing to the Secretary two days in advance of the day on which the matter is desired to be raised, and shall briefly specify the point or points that he wishes to raise:

Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question:

Provided further that the Speaker may, with the consent of the Minister concerned, waive the requirement concerning the period of notice.

(3) If necessary, two notices may be taken up at one sitting. If more than two notices have been received and admitted by the Speaker, the Speaker shall decide which two of them are to be taken up:

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any further day.

(4) There shall be no formal motion before the House nor voting. The member who has given notice will introduce the subject in a short statement. The Minister concerned will reply shortly. The Speaker may then permit other members to put questions or to express opinions. The member introducing the subject may be permitted to speak a second time to make a reply and the discussion will end with the final remarks of the Minister concerned.

42. Prohibition of Publicity of Questions and Answers in advance.

—Questions of which notice has been given by members and answers to questions which Ministers propose to give in the House shall not be released for publication until the questions are taken up and answers are given on the floor of the House or laid on the Table.

CHAPTER VIII—QUESTIONS OF PRIVILEGE

43. Breach of Privilege, how brought to the notice of the House.—

A breach of privilege, either of a member or of the House or of a Committee thereof, may, with the consent of the Speaker, be brought to the notice of the House:

- (i) by a complaint from a member;
- (ii) by a report from the Secretary;
- (iii) by a petition; or
- (iv) by a report from a Committee:

Provided that if the breach is committed in actual view of the House, the House may take action without any complaint.

(A) COMPLAINT BY A MEMBER

44. Notice of a Complaint of a Member.—A member wishing to make a complaint of a breach of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day on which it is proposed to be made. If the complaint is founded upon a document the original or a copy thereof shall accompany the notice.

45. Conditions for the admissibility of a Question of Privilege.—The right to raise a question of privilege shall be governed by the following conditions:—

- (i) not more than one question shall be raised at the same sitting; and
- (ii) the question shall be restricted to a specific matter of recent occurrence.

46. Presentation of Complaint.—If the Speaker gives his consent under rule 43, the member making the complaint shall, after questions and before the list of business is entered upon, read his complaint and may make a short statement relevant thereto. If the complaint is founded upon a document, it shall be read by the member complaining or, if so directed by the Speaker, by the Secretary. The Speaker, after hearing any other member, if necessary, shall decide whether the complaint is in order or not:

Provided that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any other time.

47. Speaker to refer the matter to the Committee of Privileges.—If the Speaker holds the matter proposed to be discussed in order, he shall refer it to the Committee of Privileges for report within a period to be specified, unless he is of opinion that the matter is such as may be disposed of by the House without reference to the Committee, in which case the member making the complaint shall make a motion that the matter be taken into consideration forthwith or at some future time.

48. Committee of Privileges.—(i) At the commencement of every session or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of 8 members including the Deputy Speaker who shall be its Chairman.

(ii) The quorum for a meeting of the Committee shall be half the number of its members. The Committee shall have power to send for any person, papers or records and examine them:

Provided that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(iii) A witness or a document may be summoned by an order signed by the Chairman.

(iv) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential. The Committee may also, in appropriate cases, allow parties to be represented by Counsel before it.

49. Absence of the Chairman from the Meeting.—If the Chairman of the Committee is unable to act, the Speaker may nominate another member to act as a Chairman of the Committee; but if the Chairman is absent from any meeting of the Committee, the Committee shall elect a Chairman of the meeting from amongst its members.

50. Disabilities of Members of Committee.—The complaining member or the member complained against, if he be a member of the Committee shall not sit on the Committee so long as the matter complained by or against him, as the case may be, is under consideration before the Committee.

51. Report of the Committee.—The Privileges Committee shall submit its report to the House, which shall be placed on the table of the House. If the Committee is of opinion that a breach of privilege has been committed, it may also suggest the punishment to be inflicted or in case an apology has been tendered, it may suggest the acceptance of the apology.

52. Motion after presentation of Report.—After the report of the Privileges Committee has been placed on the table of the House, the Chairman of the Committee or any member of the Committee or any member of the House may move that the report of the Committee be taken into consideration forthwith or at some future time within which the report may be printed and copies supplied to members.

(B) COMPLAINT BY THE SECRETARY

53. Report by Secretary.—When the Secretary has to make a report complaining a breach of privilege, the Speaker shall, if he gives his consent, acquaint the House of it. The Secretary shall then read his report to the House. The House may take the report into consideration at once or at some future time within which the report may be printed and supplied to members.

(C) COMPLAINT BY PETITION

54. Complaint by Petition.—When a petition complaining a breach of privilege has been received and after the Speaker gives his consent thereto, the petition or such portion thereof as relates to breach of privilege shall be read to the House by the Secretary. The House may forthwith take the petition into consideration or direct that it be taken into consideration at some future time within which it may be printed and copies of it supplied to members.

(D) COMPLAINT BY A COMMITTEE

55. Complaint by a Committee.—After the presentation of the report of a Committee of the House containing a complaint of a breach of privilege, the Chairman, or, in his absence, any other member of the Committee may move that the question of the breach of privilege be taken into consideration forthwith or at some future time.

56. Substantive Motion.—After any of the following motions is agreed to by the House—

- (1) Motion under rule 47 that the matter be taken into consideration; or
- (2) Motion under rule 52 that the report of the Privileges Committee be taken into consideration; or
- (3) Motion under rule 53 that the report of the Secretary be taken into consideration; or
- (4) Motion under rule 54 that the petition be taken into consideration; or
- (5) Motion under rule 55 that the question of the breach of privilege, as contained in the report of the Committee, be taken into consideration;

any member may move a substantive motion indicating the commission of a breach of privilege and also suggesting the action to be taken by the House, and any other member may move an amendment to the said motion. After a brief discussion of the motion, and the amendments, if any, the Speaker shall put the question.

(E) SPECIAL PROCEDURE RELATING TO COMPLAINT AGAINST MEMBERS.

57. Notice to Member complained against.—Where the complaint is to be made against a member, the member should be given prior notice by the complainant, petitioner or Secretary or the Committee, as the case may be. In case no prior notice has been given, the House may adjourn the consideration of the matter till notice is given to the member concerned or it may decline to entertain the complaint. The member complained against shall attend the House in his place on the day fixed by the House or proposed by the complainant, as the case may be. If he is unable to attend, the House may further postpone the consideration of the matter; but if he wilfully absents himself, the House may proceed with the matter in his absence.

58. Member to be heard.—As soon as the question of the motion founded on the complaint is proposed by the Speaker, the member complained against shall be given an opportunity to be heard in explanation or exculpation. In the case of a complaint founded upon document he may be given that opportunity immediately after the document is read. If the member complained against wants to offer an explanation at an earlier stage, it will be in the discretion of the Speaker to permit him to do so.

59. Withdrawal of Member concerned.—The member complained against shall withdraw from the House after he is heard in explanation or exculpation and shall not enter the House as long as the matter complained against him is under consideration. The House, however, will have the power to let him remain in the House or recall him for the purpose of giving him an opportunity of fully understanding the allegations against him or to offer any further explanation or apology.

(F) GENERAL

60. Opportunity to person Charged.—Except where the breach of privilege is committed in the actual view of the House or of a Committee, the House shall at some proper stage of the proceedings before the sentence is passed give an opportunity to the persons charged to be heard in explanation or exculpation of the offence complained against him:

Provided that if the matter has been referred to the Privileges Committee and the person charged has been heard before the Committee, it will not be necessary for the House to give him that opportunity unless the House directs otherwise.

61. Summoning the Party Charged.—The Speaker may summon the party charged by notice or warrant to appear before the House at any stage of the proceedings.

62. Groundless Complaint.—In case the House finds a charge of breach of privilege groundless, it may order the payment of an amount not exceeding Rs. 500 as costs to the party charged by the party complaining.

63. Execution of Orders of the House.—The Speaker, or any other person authorized by him in this behalf, shall have the power to execute all the orders passed and sentences inflicted by the House.

64. Brevity of Debate.—The debate at all stages on questions involving breach of privilege shall be brief.

65. Power of Speaker to refer question of privilege to Committee.—Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

CHAPTER IX—MOTION FOR ADJOURNMENT ON A MATTER OF URGENT PUBLIC IMPORTANCE

66. Speaker's consent necessary to make Motion.—(1) Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

(2) The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.

67. Method of giving Notice.—Notice of an adjournment motion shall be given to the Secretary in duplicate before the commencement of the sitting on the day on which the motion is proposed to be made. The Secretary shall send one copy of the notice to the Minister concerned.

68. Restrictions on right to make Motion.—The right to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely:—

- (1) not more than one such motion shall be made at the same sitting;
- (2) not more than one matter shall be discussed on the same motion; -
- (3) the motion shall be restricted to a specified matter of recent occurrence;

- (4) the motion shall not raise a question of privilege;
- (5) the motion shall not revive discussion on a matter which has been discussed in the same session;
- (6) the motion shall not anticipate a matter which has been previously fixed for consideration. In determining whether a discussion is out of order on the ground of anticipation, the Speaker shall take into consideration the probability of the matter anticipated being brought before the Assembly within a reasonable time; and
- (7) the motion must not deal with a matter on which a resolution could not be moved.

69. Mode of asking for leave to move adjournment motion.—(1) The Speaker shall take up the motion after the questions and before the list of business is entered upon and if he holds that the matter proposed is in order and gives his consent under rule 68, he shall call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House.

(2) If the Speaker is of opinion that the matter proposed to be discussed is not in order or has refused his consent under rule 66, he may, unless he thinks it otherwise, read the notice of motion and state the reasons for holding the motion as not being in order or for refusing his consent.

(3) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than twelve members rise accordingly, the Speaker shall intimate that leave is granted. If less than the required number of members rise, the Speaker shall inform the member that he has not the leave of the House.

70. Time for taking up motion.—If leave to make such a motion is granted, the motion shall be taken up an hour before the time fixed for the usual termination of the business of the day, or if the Speaker so directs, at any earlier hour at which the business of the day may terminate.

71. Limitation of time of discussion.—(1) The debate, on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate on the expiration of two hours from the time when the discussion began and thereafter no question shall be put.

(2) No speech during such debate shall exceed 15 minutes in duration except with the permission of the Speaker.

CHAPTER X—RESOLUTIONS

72. Notice of resolutions by private members.—(1) A private member who wishes to move a resolution shall give not less than twelve days' notice to the Secretary of his intention and shall together with the notice, submit a copy of the resolution which he wishes to move.

(2) A copy of the resolution, if admitted by the Speaker shall be sent to Government nine days before the date fixed for its discussion.

73. Precedence of private members' resolutions.—(1) The relative precedence of notices of resolutions given by private members shall be determined by ballot, to be held in accordance with the directions given by the Speaker, on such day, not being less than eight days before the day with reference to which the ballot is held, as the Speaker may appoint.

(2) Unless the Speaker otherwise directs, not more than five resolutions (in addition to any resolution which is outstanding under the proviso to rule 19) shall be set down in the list of business for any day allotted for the disposal of Private Members' resolutions.

74. Notice of resolution by Government.—If the Government desire to move a resolution they shall give seven days' notice and shall along with it supply a copy of the resolution to the Secretary, who shall have its copies sent to members within forty-eight hours of its receipt:

Provided that the Speaker may allow a shorter notice.

75. Form of resolution.—A resolution may be in the form of declaration of opinion by the Assembly.

76. Subject matter of resolution.—Subject to the provisions of these rules, any member may move a resolution relating to a matter of general public interest.

77. Conditions of admissibility of resolutions.—In order that a resolution may be admissible, it shall satisfy the following conditions, namely:—

- (1) it shall be clearly and precisely expressed;
- (2) it shall raise substantially one definite issue;
- (3) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (4) it shall not refer to the conduct or character of persons except in their official or public capacity; and
- (5) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

78. Admissibility of resolutions.—The Speaker shall decide on the admissibility of a resolution and may, at his discretion, amend the form of a resolution so as to bring it into conformity with the rules. He may disallow any resolution or part thereof if in his opinion it does not comply with the rules.

79. Moving and withdrawal of resolutions.—(1) A member in whose name a resolution appears on the list of business or any other member whom he may have authorized in writing to act in his behalf may, when called on—

- (a) either move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business,
- (b) or decline to move the resolutions, in which case he shall confine himself to a mere statement to that effect:

Provided that the Speaker in his discretion may allow the member to make brief statement as to why he does not propose to move the resolution.

(2) If the member when called on is absent and no other member has been duly authorized to act in his behalf as required under sub-rule (1), the resolution standing in his name shall lapse.

80. Amendments.—When a resolution is under discussion any member may, subject to the rules relating to resolutions, move an amendment to such resolution:

Provided that an amendment may not be moved which if carried would have merely the effect of a negative vote.

81. Notice of amendments.—(1) If a copy of an amendment has not been delivered to the Secretary thirty-six hours before the day fixed for the discussion of the resolution any member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved.

(2) The Secretary shall cause every amendment to be printed, and a copy shall be made available for the use of every member.

82. Duration of speeches.—No speech shall exceed fifteen minutes in duration:

Provided that the mover of a resolution when moving the same and the Minister in Charge of the department concerned when speaking for the first time may speak for twenty-five minutes.

83. Withdrawal of resolution.—(1) A Member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by leave of the House.

(2) No discussion shall be permitted on a motion for leave to withdraw.

84. Resolutions not discussed.—If a resolution of which notice has been given by a member and which has been admitted is not discussed during the day, it shall be deemed to have lapsed.

85. Division of resolution.—When any resolution involving several points has been discussed, it shall be in the discretion of the Speaker to divide the resolution and put each or any point separately to the vote as he may think fit.

86. Repetition of resolution.—When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within six months from the date of moving of the earlier resolution.

87. Copy of resolution passed to be sent to Government.—A copy of every resolution which has been passed by the House shall be forwarded to the Government.

CHAPTER XI—LEGISLATION

(A) INTRODUCTION AND PUBLICATION OF BILLS

88. Chief Commissioner's power of publication of Bills before introduction.—The Chief Commissioner may order the publication of any Bill (together with the Statement of Objects and Reasons accompanying it and the previous sanction of the President or the Chief Commissioner, or the recommendation of the Chief Commissioner, if necessary), in the *Gazette*, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

89. Notice of motion for leave to introduce a Bill by a private member.—(1) A private member, desiring to move for leave to introduce a Bill, shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons which shall not contain any argument:

Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

(2) If notice is given of a motion to introduce a Bill or to move any amendment which, in the opinion of the Speaker, cannot be introduced or moved, ~~the~~ with the previous sanction of the President or the Chief Commissioner, or the recommendation of the Chief Commissioner, the Speaker shall as soon as may be after the receipt of the notice refer the Bill or the amendment to the Chief Commissioner and the motion shall not be placed on the List of Business unless the required sanction or recommendation, as the case may be, is received.

(3) The period of notice of a motion for leave to introduce a Bill under this Rule shall be twelve days unless the Speaker allows the motion to be made at shorter notice.

90. Precedence of private members' Bills.—(1) The relative precedence of notices of Bills given by private members shall be determined by ballot, to be held in accordance with the directions given by the Speaker, on such day, not being less than eight days before the day with reference to which the ballot is held, as the Speaker may appoint.

(2) On a day allotted for the disposal of private members' Bills, Bills which have already been introduced by private members shall have priority over all other business, provided that any notice required by these rules has been given, and such Bills shall have relative precedence in the following order, namely:—

- (a) Bills returned by the Chief Commissioner with a message Sec. 26 under Section 26 of the Act;
- (b) Bills in respect of which a motion has been made that the Bill be passed;

- (c) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (d) Bills in respect of which the report of a Select Committee has been presented;
- (e) Bills which have been circulated for the purpose of eliciting opinions;
- (f) Bills introduced and in respect of which no further motion has been made or carried.

(3) The relative precedence of Bills falling under the same clause of sub-rule (2) shall be determined by ballot to be held at such time and in such manner as the Speaker may direct.

91. Motion for leave to introduce.—If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion may, without further debate, put the question:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the Assembly, the Speaker may permit a full discussion thereon.

92. Publication of Bills.—As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the *Gazette*.

(B) MOTIONS AFTER INTRODUCTION

93. Motions after introduction.—When a Bill is introduced, or on some subsequent occasion, the member in charge of the Bill may make one of the following motions in regard to his Bill, namely:—

- (a) that it be taken into consideration by the Assembly either at once or at some future day to be then specified, or
- (b) that it be referred to a Select Committee: or
- (c) that it be circulated for the purpose of eliciting opinion thereon:

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available for three days before the motion is made and such objection shall prevail unless the Speaker allows the motion to be made.

94. Power to ask for papers connected with a Bill.—(1) After the motion that a Bill be taken into consideration is passed any member may demand that copies of papers, if any, on which the Bill is based and which are not confidential, may be placed on the table of the House.

(2) These papers are not to be demanded in cases where Bills have been sent to a Select Committee.

95. Discussion of Principles of Bills.—(1) On the day on which any motion referred to in rule 93 is made, or on any subsequent day to which the discussion is postponed, the principles of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved but if the member in charge moves that the Bill—

- (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon by a date to be mentioned in the motion, or
- (b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried in the Assembly and the Bill is circulated in accordance with that direction and opinions have been received thereon by the date mentioned in the motion, the member in charge, if he wishes to proceed with his Bill thereafter, shall move that the Bill be referred to a Select Committee unless the Speaker allows the motion to be made that the Bill be taken into consideration.

96. Persons by whom motions in respect of Bills may be made.—No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill, and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon, shall be made by any member other than the member in charge, except by way of amendment to a motion made by the member in charge of the Bill.

(C) SELECT COMMITTEE

97. Composition of Committee.—(1) The Minister in charge of the department to which the Bill relates and the member who introduces the Bill, shall be members of every Select Committee.

(2) The other members of the Committee whose number shall be 7, save when the Bill is introduced by a private member when the number of members shall be 6, shall be named by the Assembly when the motion that the Bill be referred is made or at any subsequent meeting. In case election is necessary, it shall be held according to the principle of proportional representation by means of the single transferable vote.

98. Procedure of Select Committee.—(1) The Chairman of the Committee, shall be appointed by the Speaker from amongst the members of the Committee:

Provided that where the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(4) The Chairman shall convene the meetings of the Select Committee after the Bill has been referred to it and shall be responsible for the preparation of the report.

(5) A select Committee may call for any papers or other evidence it considers necessary.

(6) The necessary papers on which the Bill is based shall be supplied on demand by the members.

(7) No business shall be transacted at any sitting of a Select Committee unless one-half of the members of the Committee are present.

(8) The discussions of a Select Committee shall not be disclosed by any member nor shall any reference to such discussions be made in the Assembly.

99. Report by Select Committee.—The Select Committee shall in its report mention the date on which the Bill was published in the *Gazette* and shall also state whether or not in its judgment the Bill has been so altered as to require re-publication.

100. Minute of Dissent.—If any member of a Select Committee desires to record a minute of dissent on any point, he must sign the majority report, stating that he does so subject to his dissent, and must hand in his minute within reasonable time to be fixed by the Chairman.

A member who has not been present even at a single meeting of the Committee shall not be asked to sign the report, nor have the right of recording a minute of dissent.

101. Printing and Publication of Report.—The Secretary shall cause the report of the Select Committee to be published in the *Gazette*, along with the amended Bill if, the Select Committee recommended re-publication, and shall have a copy of the printed report made available to every member.

102. Presentation of Report.—The report of the Select Committee on a Bill shall be presented to the Assembly by the Member in charge of the Bill, who, if he makes any remarks in presenting the report, shall confine himself to a brief statement of the amendments made by the Select Committee.

(D) PROCEDURE AFTER PRESENTATION OF REPORT OF A SELECT COMMITTEE

103. Motion that may be moved after Presentation of the Report of a Select Committee.—(1) After the presentation of the report of a Select Committee on a Bill, the member in charge of the Bill may move—

(a) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if a copy of the report has not been made available for the use of the members for three days, and such objection shall prevail, unless the Speaker allows the report to be taken into consideration; or

(b) that the Bill as reported by the Select Committee be re-committed either (i) without limitation or (ii) with respect to particular clauses or amendments only, or (iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill.

(2) If the member in charge of the Bill moves that the Bill as reported by the Committee be taken into consideration, any member may move as an amendment that the Bill be re-committed to a Committee.

104. Scope of Debate on Report of Select Committee.—There shall be no debate on any motion or amendment at this stage except that the member making the motion or moving the amendment and the member opposing may be allowed to make brief statements and then the question or questions, as the case may be, shall be put.

(E) CONSIDERATION OF AMENDMENTS TO BILLS.

105. Proposal of Amendments.—When a motion that a Bill be taken into consideration has been agreed to by the Assembly any member may propose an amendment to the Bill.

106. Notice of Amendments.—(1) If a notice of a proposed amendment has not been delivered to the Secretary thirty-six hours before the meeting of the Assembly at which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker allows the amendment to be moved:

Provided that previous notice shall not be necessary in the case of amendments of a purely verbal character or of amendments consequential upon or moved in respect of amendments which have been carried.

(2) The Secretary shall cause every notice of a proposed amendment to be printed and a copy shall be made available for the use of every member.

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& 24

107. Sanction of the President or the Chief Commissioner or recommendation of the Chief Commissioner to be annexed to Notice of Amendment.—(1) If Government, desire to move an amendment, which under the Constitution or the Act cannot be moved without the previous sanction of the President or the Chief Commissioner or the recommendation of the Chief Commissioner, they shall annex to the required notice a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

(2) If a private member gives notice of an amendment which, in the opinion of the Speaker cannot be moved without the previous sanction of the President or the Chief Commissioner or the recommendation of the Chief Commissioner, the Speaker shall as soon as may be after receipt of the notice, refer the amendment to the Chief Commissioner, and the amendment shall not be placed on the list of Business unless the required sanction or recommendation, as the case may be, is received

108. Order of Amendments.—Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been made: "That this clause stand part of the Bill".

109. Clause one, preamble and title of the Bill.—Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question: "That clause one, or the Preamble or the Title (or, as the case may be, that clause one, Preamble or Title, as amended) stand part of the Bill."

110. Submission of Bills clause by clause.—Notwithstanding anything in these rules it shall be in the discretion of the Speaker, when a motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly clause by clause. When this procedure is adopted the Speaker shall call each clause separately, and when the amendments relating to it have been dealt with shall put the question "that this clause or, as the case may be, this clause as amended, stand part of the Bill."

111. Postponement of a clause.—The Speaker may, if he thinks fit, postpone the consideration of a clause.

(F) PASSING AND AUTHENTICATION OF BILLS.

112. Passing of a Bill.—(1) When a motion that a Bill be taken into consideration has been carried and no amendment has been made in the Bill, the member in charge of the Bill may at once move that the Bill be passed and the question shall be put without any debate.

(2) If an amendment is made in the Bill, any member may object to a motion being made on the same day that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

(4) To such a motion no amendment may be moved except with the permission of the Speaker

113. Scope of Debate.—The discussion on a motion that the Bill be passed shall be confined to the submission of arguments with regard to the effect of amendments made in the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his argument.

114. Authentication of Bills.—When a Bill is passed by the Assembly the Secretary shall re-number the clauses, revise and complete the marginal notes thereof, make such purely formal, verbal or consequential amendments therein as may be required and correct such errors as may appear to him to be due to inadvertence.

The Secretary shall then submit two copies of the Bill to the Speaker and they shall, if approved as correct, be signed by him.

(G) GENERAL.

115. Assent to Bill and Publication of Bill as Act.—When a Bill has been signed by the Speaker under rule 114, it shall be submitted to the Chief Commissioner for President's assent. After the President's assent has been given, it shall be published in the Gazette as an Act of the Delhi Legislative Assembly assented to by the President. Sec. 20.

116. Note of verbal Amendments.—Along with the signed copy under rule 114 a note showing the verbal and consequential amendments or rectification of errors made in the Bill, shall also be submitted to the Chief Commissioner. A copy of these alterations shall be placed on the table of the Assembly prior to the announcement of the President's assent.

(H) RE-CONSIDERATION OF BILLS RETURNED BY THE CHIEF COMMISSIONER.

Sec. 20.

117. Re-consideration of Bills Returned by the Chief Commissioner.—When a Bill which has been passed is returned by the Chief Commissioner to the Assembly for re-consideration, the point or points referred for re-consideration or the amendments recommended shall be put before the Assembly by the Speaker, and shall be discussed and voted upon in the same manner as amendments to a Bill or in such other way as the Speaker may consider most convenient for their consideration by the Assembly.

(I) WITHDRAWAL OF BILLS AND DROPPED BILLS.

118. Withdrawal of a Bill.—The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill; and if such leave is granted no further motion shall be made with reference to the Bill.

119. Dropped Bills.—Any Bill in respect of which no motion has been made in the Assembly for two years may, by order of the Speaker, be removed from the list of business.

CHAPTER XII—NO-CONFIDENCE MOTIONS

Sec. 10.

120. No-confidence motion against Speaker and Deputy Speaker.—Any resolution to remove the Speaker or the Deputy Speaker from office, of which the required notice of 14 days has been received, shall be read to the Assembly by the Speaker. He shall then request those members who are in favour of leave being granted to move the resolution to rise in their places and if not less than 1/3rd of the total number of members rise accordingly, the Speaker shall allow the resolution to be moved. If less than 1/3rd of the total number of members rise, the Speaker shall inform the intending mover thereof that he has not the leave of the House to move it.

121. No-confidence motion against the Council of Ministers or a Minister.—(1) A motion expressing want of confidence in the Council of Ministers or a Minister or a motion disapproving the policy of the Council of Ministers or a Minister in a particular respect may be made with the consent of the Speaker and subject to the following restrictions, namely:—

- (a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon, and
- (b) the member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written notice of the motion which he proposes to make.

(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and, if not less than 1/3rd of the total number of members rise accordingly the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being less than 7 and not more than 10 days from the day on which leave is asked, as he may appoint. If less than 1/3rd of the total number of members rise, the Speaker shall inform the member that he has not the leave of the House.

122. Statement by Minister in Explanation of his Resignation.—(1) A member who has resigned the office of Minister shall have the right with the consent of the Speaker to make a personal statement in explanation of his resignation at the earliest possible opportunity.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon

(3) On such statement no debate shall be allowed;

Provided that a Minister shall be entitled after the member has made his statement to make a statement pertinent thereto.

CHAPTER XIII—PROCEDURE IN FINANCIAL MATTERS

123. Presentation of Budget.—The annual financial statement or the statement of the estimated receipts and expenditure of the State in respect of every financial year (hereinafter referred to as the Budget) shall be presented to the Assembly on such day in the preceding financial year as the Chief Commissioner may appoint. Sec. 28

124. Discussion of Budget.—No discussion of the Budget shall take place on the day on which it is presented to the Assembly.

125. Demand for Grants.—(1) A separate Demand shall ordinarily be made in respect of the grant proposed for each department of the Government:

Provided that the Finance Minister may include in one demand grants proposed for two or more departments, or make a demand in respect of expenditure, such as Famine Relief and Interest, which cannot readily be classified under particular departments.

(2) Each demand shall contain, first a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules, the Budget shall be presented in such a form as the Finance Minister may consider best fitted for its consideration by the Assembly.

126. Stages of Budget Debate.—The Budget shall be dealt with by the Assembly in two stages namely:—

- (i) a general discussion, and
- (ii) the voting of demands for grants.

127. General discussion.—(1) On a day or days to be appointed by the Speaker subsequent to the day on which the Budget is presented and for such time, not exceeding three days as the Speaker may allot for this purpose, the House shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the House.

(2) Finance Minister shall have a general right of reply at the end of the discussion.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

128. Voting of demands.—(1) The voting of demands for grants shall take place on such days (not exceeding ten) as the Speaker may, in consultation with the Leader of the House, allot for the purpose.

(2) The demands for grants shall be presented in such order and then discussion shall continue for such time within the period allotted under sub-rule (1) as the Leader of the House, in consultation with the Leader of the Opposition, may determine.

(3) Except the asking and answering of questions, no other business shall be taken up without the consent of the Speaker, during the usual hours of the sitting of the House, on a day allotted under sub-rule (1) for the voting of demands for grants.

(4) No motion for appropriation can be made except on the recommendation of the Chief Commissioner communicated to the Assembly. Sec. 29 (3).

(5) Motions may be moved at this stage to reduce or omit any grant but not to increase or alter the destination of a grant. Sec. 29 (2).

(6) No amendment to motions to reduce any grant shall be permissible.

(7) When several motions relating to the same demand are offered they shall be discussed in the order in which the heads to which they relate appear in the Budget.

(8) On the last day of the day allotted under sub-rule (1), half an hour before the close of the usual sitting of the day, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants, and this procedure shall not be anticipated by any motion for adjournment or be interrupted in any manner whatsoever, nor shall any dilatory motion be moved in regard thereto.

129. Notice of a motion to omit or reduce grant.—Notice of a motion to omit or reduce any grant shall be given not less than two days before the day appointed for the discussion of such grant unless otherwise directed by the Speaker:

Provided that every motion to omit or reduce any grant must be accompanied by a brief note explaining the purpose of the motion.

Sec. 31.

130. Supplementary or additional grants or grants for excess expenditure.—The Speaker may, from time to time, in consultation with the Leader of the House, allot one or more days for presentation of a statement of demands for grants in respect of supplementary or additional or excess expenditure under Section 31 of the Act and for the discussion and voting of such demands. In such cases the same procedure will be followed as is laid down in rules 125, 126, 127, 128 and 129 subject to such modifications as the Speaker may deem necessary.

Sec. 30.

131. Appropriation Bills.—(1) The procedure in the Assembly in respect of a Bill to provide for the appropriation of moneys out of the Consolidated Fund of the State shall be the same as for other Bills:

Provided that no amendment shall be proposed to an Appropriation Bill which will have the effect of varying the amount or altering the destination of any grant made under section 29 of the Act.

(2) The Speaker may suspend the operation of any rule for the timely passing of such Bills.

132. Time-Limit for Disposal of Financial Business.—In addition to the powers exercisable by the Speaker under these rules, he may exercise all powers necessary for the purpose of the timely completion of all financial business and may, in particular, allot time for the disposal of various kinds of such business and when the time is so allotted, he shall at the appointed hour put every question necessary to dispose of all the outstanding matters in connexion with the stage or stages for which the time has been allotted.

Explanation.—Financial business includes any business which the Speaker holds as coming within this category under the Act.

133. Publication of Appropriation and Finance Accounts and Audit Reports.—As soon as may be practicable after the Appropriation and Finance Accounts and Audit Reports thereon have been laid on the table of the Assembly, the Secretary shall issue a notification declaring them to be published for general information.

134. Constitution of Finance Committee.—(1) As soon as may be after the commencement of the first session of each Assembly, a Standing Committee of members shall be constituted for the purpose of advising the Government in such matters as may be referred to it for opinion. This Committee shall be known as the Finance Committee.

(2) The Finance Committee shall consist of 8 members, including the Minister-in-charge of the Finance Department who shall be member *ex-officio*. The remaining 7 members shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote. The term of office of the members of the Committee shall be a financial year or so much of the financial year for which they are elected as remains at the time of their election but any member shall be eligible for re-election.

(3) Casual vacancies shall be filled as soon as possible after they occur in the manner prescribed in sub-rule (2) and any person elected to fill such a vacancy shall hold office for so long as the person in whose place he is elected would have held office.

(4) The Minister-in-charge of the Finance Department shall be the Chairman of the Committee, and, in the case of an equality of votes on any matter, shall have a second or casting vote.

135. Discussions of the Finance Committee not to be disclosed.—The discussions of the Finance Committee shall not be disclosed by any member nor shall any reference to such discussions be made in the House provided that the decisions of the Committee shall not be regarded as confidential.

136. Constitution of Committee on Public Accounts.—(1) As soon as may be after the commencement of the first session of each Assembly, a Committee on Public Accounts shall be constituted for the purpose of dealing with the reports of the Comptroller and Auditor-General of India relating to the appropriation accounts of the State and such other matters as the Finance Department may refer to the Committee or any other matter which the Committee itself considers necessary.

(2) The Committee on Public Accounts shall consist of nine members, including the Finance Minister who shall be a member *ex-officio*. The remaining eight members shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote. The term of office of members of the Committee shall be a financial year or so much of the financial year for which they are elected as remains at the time of their election but any member shall be eligible for re-election.

(3) Casual vacancies shall be filled as soon as possible after they occur in the manner prescribed in sub-rule (2) and any person elected to fill such a vacancy shall hold office for so long only as the person in whose place he is elected would have held office.

(4) The chairman shall be elected by the Committee from amongst its members. In the case of an equality of votes on any matter the Chairman shall have a second or casting vote.

137. Control of Committee on Public Accounts.—(1) In scrutinizing the appropriation accounts of the State and the report of the Comptroller and Auditor-General thereon it shall be the duty of the Public Accounts Committee to satisfy itself—

- (a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;
- (b) that the expenditure conforms to the authority which governs it; and
- (c) that every re-appropriation has been made in accordance with such rules as may be prescribed by the Chief Commissioner or by the Finance Department, as the case may be.

(2) It shall also be a duty of the Public Accounts Committee—

- (a) to examine such trading, manufacturing and profit and loss accounts and balance-sheets, as the Chief Commissioner may have required to be prepared and the Comptroller and Auditor-General's report thereon;
- (b) to consider the report of the Comptroller and Auditor-General in cases where the Chief Commissioner may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock.

138. Committee on Estimates.—(1) As soon as may be after the commencement of the first session of the Assembly a Committee on Estimates shall, subject to the provisions of this rule, be constituted to examine such of the estimates as may seem fit to the Committee and to suggest economy consistent with the policy underlying the estimates.

(2) The Committee shall consist of not more than 10 members who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote.

(3) The term of office of the members of the Committee shall be one year.

(4) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election in the manner aforesaid and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would, under the provisions of this rule, have held office.

(5) (a) The Chairman of the Committee shall be appointed by the Speaker from amongst members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(b) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(c) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(6) In order to constitute a meeting of the Committee, the quorum shall be five.

(7) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

(8) The Committee may appoint one or more sub-committees, each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole Committee if they are approved at a meeting of the whole Committee.

(9) The Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the House. Such reports shall be treated as confidential until presented to the House.

(10) The Committee may hear officials or take other evidence connected with the estimates under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(11) The Committee may continue its examination of the estimates from time to time throughout the financial year and report to the House, as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(12) (a) The Speaker may from time to time issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure and the organization of its work.

(b) If any doubt arises on any point of procedure or otherwise, the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

(13) The Committee shall have power to pass resolutions on matters of procedure for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

CHAPTER XIV—COMMUNICATIONS BETWEEN THE CHIEF COMMISSIONER AND THE ASSEMBLY

139. Communications from the Chief Commissioner to the Assembly.—Communications from the Chief Commissioner to the Assembly may be made—

- (1) by a written message delivered to the Speaker and read to the House by him; and
- (2) through a Minister.

140. Communications from the Assembly to the Chief Commissioner.—Communications from the Assembly to the Chief Commissioner shall be made—

- (1) by formal address, after motion made and carried in the House; and
- (2) through the Speaker.

CHAPTER XV—GENERAL RULES OF PROCEDURE

(A) LANGUAGE OF THE ASSEMBLY

141. Language of the Assembly.—The business of the Assembly shall be transacted in English or in Hindi or in the language or languages in use in the State of Delhi as may be adopted by law as the official language or languages of the State.

(B) NOTICES

142. Giving of notices.—(1) Every notice required by the rules shall be given in writing addressed to the Secretary and shall be left at the table or in his office during working hours.

(2) A notice received in the office at hours other than those specified in the preceding sub-rule shall be treated as given on the next opening day.

143. Circulation of notice and papers to members.—The Secretary shall circulate to each member a copy of every notice or other paper, which is by these rules required to be made available for the use of members.

(C) EFFECT OF PROROGATION AND DISSOLUTION

144. Effect of prorogation and dissolution of Assembly.—(1) When the Assembly is prorogued all pending notices shall lapse but all Bills which have been introduced shall be carried over to the list of pending business of the next session.

(2) A Bill which is pending in the Assembly shall lapse on a dissolution of the Assembly.

(D) MOTIONS

145. Discussion of matters of general public interest by means of a motion.—Save in so far as is otherwise provided by the Constitution or the Act or by these rules, no discussion of a matter of general public interest shall take place otherwise than on a resolution, moved in accordance with these rules, except on a motion made with the consent of the Speaker, who if he admits the motion, will allot a day or days for its discussion in consultation with the Leader of the House.

146. Motions without notice.—The following motions may be made, if the Speaker permits, without notice:

- (i) Motion for congratulation or condolence.
- (ii) Motion for adjournment of a meeting.
- (iii) Motion for the withdrawal of strangers.
- (iv) Motion for electing members to standing committees.
- (v) Motion for the withdrawal of a Bill, a resolution or a motion or amendments thereto.
- (vi) Motion for postponement of any business.
- (vii) Motion for closure of debate.
- (viii) Motion for suspension of a rule.
- (ix) Motion to extend duration of a meeting.

147. A motion must not raise a question already decided.—A motion must not raise a question substantially identical with one on which the Assembly has given its decision in the same session:

Provided that nothing herein contained shall, unless the Speaker in any case otherwise directs, be deemed to prevent the making of any of the following motions, namely—

- (a) A motion for the taking into consideration or the reference to a Select Committee of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated or re-circulated for obtaining opinion thereon.
- (b) A motion made after return of Bill by the Chief Commissioner for re-consideration of the Assembly, for an amendment relevant to the point or points referred for re-consideration.
- (c) A motion for the amendment of a Bill which is consequential on or designed merely to alter the drafting of another amendment which has been carried

Sec. 80.

148. Motion for postponement of business.—(1) A motion that consideration of a Bill, other than an Appropriation Bill under Section 30 of the Act, which has been introduced or of a motion other than a motion for adjournment, or of a resolution be adjourned to any future day in the same session available for such business or to any future session *sine die*, may be made by any member at any time, and such motion shall take precedence of any other motion then before the Assembly. The Speaker after permitting a brief explanatory statement from the mover and from the member opposing, if the motion is opposed, may, without further debate, put the question thereon.

(2) If a motion for the adjournment of Private Members' Business to a specified day is carried the adjourned business shall have priority over the private members' business fixed for that day.

(3) The Speaker may disallow such motion for the adjournment of business if it has, in his opinion, been made for the purpose of obstructing the business of the Assembly or for securing the adjournment of the meeting.

149. Closure.—(1) At any time after a motion has been made, any member may move, "That the question be now put," and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate the Speaker shall then put the motion: "That the question be now put".

(2) Where the motion: "That the question be now put" has been carried, the question or questions consequent thereon shall be put forthwith without further debate:

Provided that the Speaker may allow any member any right of reply which he may have under these rules.

(E) AMENDMENTS

150. Amendments which may be admissible.—(1) An amendment must be relevant to the subject matter of the motion to which it is proposed.

(2) An amendment may not be moved which, if carried, would have merely the effect of a negative vote

(3) After a decision has been given on an amendment to any part of a motion an earlier part shall not be amended.

(4) No amendment may be proposed which is inconsistent with a previous decision on the same subject matter given at the same stage of any Bill or motion.

(5) The Speaker may at any stage disallow an amendment or refuse to put an amendment which is in his opinion frivolous.

151. Amendment How Put.—(1) When an amendment is moved, or when two or more amendments are moved, the Speaker shall, before putting the question thereon, state or read to the House the terms of the original motion.

(2) It shall be in the discretion of the Speaker to put first to the vote either the original motion or any of the amendments which may have been brought forward

(F) RULES TO BE OBSERVED BY MEMBERS

152. Rules to be observed by Members while present in the House.—Whilst the House is sitting, a member—

- (i) shall enter, sit in and leave the House with decorum and shall take and leave his seat after bowing to the Chair;
- (ii) shall not come in between the Chair and the member in possession of the floor of the House;
- (iii) shall not cross the floor of the House;
- (iv) shall not read any book, newspaper or letter except in connexion with the business of the House;
- (v) shall not interrupt any member while speaking by disorderly expression or noises or in any other way so as to disturb the smooth transaction of the business.

153. Member to speak when called by the Speaker.—When a member rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

154. Mode of addressing the House.—A member desiring to make any observations on any matter before the House shall rise when he speaks and shall address the Speaker:

Provided that a member disabled by sickness or infirmity may be permitted by the Speaker to speak sitting.

155. Rules to be observed while speaking and answering Questions.—(1) The matter of every speech must be strictly relevant to the matter before the Assembly.

(2) A member while speaking or answering a question shall not—

- (i) express any opinion or make any comment on any matter of fact on which a judicial decision is pending;
- (ii) make a personal charge against a member;
- (iii) use offensive expressions about the conduct or proceedings of the Parliament or the Legislature of any State;
- (iv) reflect on any decision of the House except on a motion for rescinding it;
- (v) reflect upon the conduct of the President or any Governor or any Rajpramukh or any Lt. Governor or any Chief Commissioner or any Court of Justice.
- (vi) utter treasonable or defamatory words but he may, with the permission of the Speaker, quote them for the purposes of his argument; or
- (vii) use his right of speech for the purpose of obstructing the Assembly.

156. Questions to be asked through the Speaker.—When for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

157. Irrelevance or Repetition.—The Speaker after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

(G) ORDER OF SPEECHES AND RIGHT OF REPLY

158. Order of Speeches and right of Reply.—(1) After the member who moves has spoken, other members may speak on the motion in such order as the Speaker may determine. If any member when called upon by the Speaker does not speak, he shall not be entitled, except by the permission of the Speaker, to speak on the motion at any later stage of the debate

(2) Except as hereinafter otherwise provided no member shall speak more than once on any motion except for the purpose of making a personal explanation and then only with the permission of the Speaker and in such case no debatable matter may be brought forward.

(3) A member who has moved a substantive motion or an amendment to a clause of a Bill or has made a motion for reduction or omission of an item under the budget demands, may speak again by way of reply, and if the motion or the amendment is moved by a private member the Minister to whose department the matter under discussion relates shall have right of speaking after the mover whether he has previously spoken in the debate or not.

(H) PROCEDURE WHEN SPEAKER RISES

159. Speaker to be heard in silence.—(1) Whenever the Speaker rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down.

(2) No member shall leave his seat while the Speaker is addressing the House.

(I) DIVISION

160. Decision of the Assembly.—The Decision of the Assembly shall be taken by means of a question put by the Speaker on a motion proposed by a member.

161. Division.—(1) Votes may be taken by voices or by division and shall be taken by division if any member so desires:

Provided that the Speaker may if he considers it necessary avoid a division by taking votes by show of hands.

(2) The result of a division shall at once be announced by the Speaker and shall not be challenged.

(J) SPEAKER'S POWER TO ORDER WITHDRAWAL OF A MEMBER OR TO SUSPEND A SITTING

162. Power to order withdrawal of Members.—(1) The Speaker shall preserve order; and may direct any member, whose conduct, in his opinion, is disorderly, to withdraw immediately from the House and the member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's sitting.

(2) If any member is ordered to withdraw a second time in the same session, the Speaker may direct him to withdraw from the meeting of the House and may name him. Similarly, if a member when ordered by the Speaker to withdraw, does not obey the order, the Speaker may name him. As soon as a member is named, the Leader of the House shall forthwith make a motion to the effect that the member so named be suspended for the period to be mentioned in the motion:

Provided that this period shall in no case be longer than the remainder of the session:

Provided further that the House may at any time, on a motion being made, resolve that such suspension be terminated.

(3) The Speaker shall have full authority to carry out his order or the decisions of the House and may employ, or authorize the employment of, necessary force, at any stage of the proceedings.

(4) The Speaker may in the case of grave disorder arising in the House suspend any sitting for a time to be determined by him.

(K) RESIGNATION, ABSENTEE MEMBER AND VACATION OF SEATS IN THE ASSEMBLY

163. Resignation of seats in the Assembly.—As soon as may be, the Speaker shall, after he has received an intimation in writing from a member under his hand resigning his seat in the Assembly, inform the House that such and such a member has resigned his seat in the Assembly.

164. Absentee Members.—(1) If a member finds at any time that he is unable to attend meetings of the Assembly for a period of sixty consecutive days, computed in the manner provided in the proviso to sub-section (3) of section 16 of the Act, he may apply for permission to be so absent.

(2) Such application shall be set down for consideration by the House soon after receipt, as may be ordered by the Speaker, and shall on the day so fixed be considered by the House immediately after questions, and before any other business for the day is entered upon.

(3) Notwithstanding anything contained in rules 160 and 161, the Speaker shall decide the manner in which the decision of the Assembly shall be taken on such applications.

(4) The Secretary shall inform the member, as soon as possible, of the decision of the Assembly on his application.

(5) If a member is absent without permission from all meetings of the Assembly for a period of sixty days or more, computed in the manner provided in the proviso to sub-section (3) of section 16 of the Act, any member may move that such member's seat be declared vacant.

(6) A member shall give three days' notice of such a motion and shall, with his notice forward a complete statement of the dates on which the member, whose seat is to be declared vacant, was absent.

(7) The Secretary shall keep a list showing the names of all members who are absent for sixty days or more from all meetings of the Assembly and such list shall be made available for inspection by members.

(L) POINTS OF ORDER AND SPEAKER'S POWER TO REGULATE DISCUSSION

165. Points of Order and Decisions thereon.—(1) Any member may at any time submit a point of order for the decision of the Speaker, but in doing so, shall confine himself to stating the point.

(2) The Speaker shall decide all points of order which may arise, and his decision shall be final.

166. Discussion on points of order.—(1) No discussion on any point of order shall be allowed unless the Speaker thinks fit to hear the views of members thereon.

(2) When a point of order is raised the member then in possession of the House shall immediately resume his seat.

(M) RECORD AND REPORT OF PROCEEDINGS

167. Record of Proceedings of the Assembly.—(1) The Secretary shall keep a journal in which a short record of the decisions of the Assembly for each day shall be entered.

(2) The journal after each meeting of the House, shall be signed by the Speaker; and when so signed it shall form an authentic record of the decisions of the House.

168. Report of proceedings of the Assembly.—(1) The Secretary shall cause to be prepared a full and accurate report of the proceedings of the Assembly at each of its meetings and shall, publish it in such form and manner as the Speaker may from time to time direct.

(2) A copy of such report shall be sent by the Secretary to each member of the Assembly and to the Chief Commissioner within two months.

(N) ADMISSION OF STRANGERS

169. Speaker to regulate Admission of Strangers.—The Admission of strangers during the sittings of the House to those portions of the House, which are not reserved for the exclusive use of members shall be regulated in accordance with orders made by the Speaker.

170. Power to order withdrawal of Strangers.—The Speaker either of his own motion or on the suggestion of any member may at any time during a sitting of the Assembly order the withdrawal of strangers from any part of the House.

171. Steps for Expulsion of Strangers.—The Speaker may take such steps as may be necessary or such action as the circumstances of the case may in his discretion require for the expulsion of any stranger from any portion of the House.

(O) AMENDMENT OF RULES

172. Notice.—Unless the Speaker otherwise directs, not less than ten days' notice of the motion for leave to amend the Rules shall be given and the notice shall be accompanied by a draft of the proposed amendments.

173. Leave of the House.—The motion shall be set down for such day as the Speaker may direct. When the motion is reached the Speaker shall read the draft amendments and ask whether the member has the leave of the House. If objection is taken, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member, who moves and from the member who objects, shall request those members who support the motion to rise in their places and if not less than one-third of the total number of members of the House for the time being rise accordingly, the Speaker shall intimate that the member has the leave of the House.

If less than one-third of the members rise, the Speaker shall inform the member that he has not the leave of the House.

174. Members of Select Committee.—Where a member has the leave of the House to proceed, the draft amendments shall be referred to a Select Committee consisting of 9 members, including the member who has given notice, to be elected by the House, according to the principle of proportional representation by means of the single transferable vote, and of which the Deputy Speaker shall be the Chairman:

Provided that in case of a minor or a small number of amendments the House may take those amendments into consideration without reference to a Select Committee.

175. Procedure.—After the draft has been referred to a Select Committee, the procedure in regard to Bills originating in the Assembly shall, as far as may be, be followed with such necessary alterations as to the form of the motions that may be made as the Speaker may direct.

(P) ATTENDANCE OF MEMBERS

176. Attendance Register.—A record of attendance of members in the meetings of the Assembly shall be kept by the Secretary and for this purpose an attendance register shall be maintained. It will be placed near the Secretary's table before the commencement of a meeting and the members, other than the Speaker, the Deputy Speaker, Ministers and Parliamentary Secretaries, shall sign it before the meeting is adjourned. No member who has not signed the register shall be treated as present:

Provided that the Speaker, if he is satisfied may order that a member, who attended a meeting but failed to sign the register, may be marked as present.

(Q) PETITIONS

177. Subject of Petitions.—Petitions relating to a Bill, which has been published or which has been introduced or in respect of which notice of a motion has been received under these rules, may be presented or submitted in accordance with these rules. Every petition shall be couched in respectful and temperate language.

178. Authentication of signatories to a Petition.—The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate by his signature and if illiterate by his thumb-impression.

179. Countersignature.—Every petition shall, if presented by a member, be countersigned by him.

180. Petition to whom to be addressed and how to be concluded.—Every petition shall be addressed to the Assembly and shall conclude with a prayer reciting the definite object of the petitioners in regard to the Bill to which it relates.

181. Presentation of a Petition.—Any petition may be presented by a member, or be forwarded to the Secretary, in which latter case the fact shall be reported by him to the House, and no debate shall be permitted on the making of such report.

182. Form of Presentation.—A member presenting a petition shall confine himself to a statement in the following form:

"I present a petition signed by.....Petitioners regarding.....Bill", and no debate shall be permitted on this statement.

183. Constitution of Committee on Petitions.—(1) At the commencement of a session or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than five members.

(2) A Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

184. Chairman of Committee on Petitions.—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

185. Reference to Committee.—Every petition after presentation by a member or report by the Secretary, as the case may be, shall be referred to the Committee.

186. Examination and circulation of Petition.—The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may in its discretion direct that it be circulated to the members of the House as a paper to the Bill to which it relates. The direction of the Committee shall under the orders of the Speaker be complied with.

(R) MISCELLANEOUS

187. Secretary of the Assembly, ex-officio Secretary of Select Committees, etc.—The Secretary of the Assembly shall be the *ex-officio* Secretary of the Select Committees, Petitions Committee, Estimates Committee and Privileges Committee appointed by the House. He shall arrange to send notices of the meetings and shall arrange for the conduct of all correspondence connected with their business.

188. Publication of information regarding vacancies in the Assembly.—The Secretary shall, as soon as may be after a seat in the assembly has fallen vacant, cause the information to be published in the Gazette, and shall forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused and also to the Government.

189. Speaker to make regulations for election by Single Transferable Vote.—The Speaker shall make regulations governing the method of election by single transferable vote.

190. Holding of election by a section of the Assembly.—When in pursuance of an Act of Parliament or of the Assembly a section of members of the Assembly has to elect its representatives on a public body, the Secretary shall, when requested by the body concerned, arrange to hold an election in accordance with the directions of, and regulation made by the Speaker in this behalf

191. Copy of bill to the Chief Commissioner.—A copy of every Bill introduced in the Assembly shall, immediately after its introduction, be forwarded by the Secretary to the Chief Commissioner.

192. Copy of Private Member's Bill to Government.—(1) Whenever a Private Member of the Assembly gives notice of his intention to move for leave to introduce a Bill, the Secretary shall forthwith send a copy of the Bill, together with the Statement of Objects and Reasons, to the Department to which matter of the Bill relates and to the Law Department.

(2) The provisions of sub-rule (1) shall, as far as may be, apply to all amendments, notice of which is given by a private member of the Assembly, in the case of a Bill.

193. Agenda and Proceedings of Committees to be Confidential.—The agenda and proceedings of Committees shall not be disclosed to anybody by any member and their reports shall be treated as confidential until their presentation in the House.

194. Suspension of Rules.—Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried, the rule in question shall be suspended for the time being.

The Speaker shall decide the procedure to be followed in lieu of that contained in the suspended Rule.

195. Interpretation and Removal of Difficulties.—If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

196. Residuary Powers.—All questions not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct.

197. Speakers' decision not to be Questioned.—No decision of the Speaker in respect of disallowance of any resolution or question or in respect of any other matter shall be questioned.

M. L. VIJH, Secy.,

Delhi Legislative Assembly.